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September 15, 2023

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**MEMO ENDORSED**

**VIA PACER ONLY**

Honorable Magistrate Judge Barbara C. Moses  
United States District Court Southern District of New York  
500 Pearl Street  
New York, New York 10007

**RE: Lynch v. MTA Metro-North Railroad  
Docket No.: 22-cv-04335(JHR)(BCM)  
Our File No.: 6036**

Dear Honorable Judge Moses:

The undersigned represents the Plaintiff in the above-captioned matter. Please accept this correspondence as a request on consent, to adjourn the Settlement Conference set for Wednesday, September 20, 2023. The undersigned understands the history of this case and number of requests to adjourn but it is being done in good faith so as not to waste the Court's time and resources.

- (1) Original date of Settlement Conference: September 20, 2023
  - a. Proposed new dates: October 18, 25, 26, 2023.
- (2) Number of previous requests for adjournment of Settlement Conference: Three (3).
- (3) The prior request was granted: *See* Doc. 32.
- (4) Unfortunately, the undersigned mixed up the availability of Plaintiff. Plaintiff will be away next week. The undersigned mistook that for the week prior. Additionally, there seems to be a discrepancy as to prior negotiations and it may appear that the undersigned needs to speak to Plaintiff about expectations pursuant to negotiations that have transpired since the last request. It is possible that this matter may resolve prior to the next Conference.
- (5) All parties consent.

As this request is on consent, and does not prejudice either party, the undersigned requests that this application be granted. Thank you for your time and consideration in this matter.

Very Truly Yours  
*/s/ Joseph Dell*  
JOSEPH G. DELL

CC: Counsel of record via PACER, *only*.

Application GRANTED. The settlement conference scheduled for September 20, 2023 is ADJOURNED to **October 26, 2023 at 2:15 p.m.** Confidential settlement letters are due no later than **October 19, 2023**. SO ORDERED.



Barbara Moses, U.S.M.J.  
September 18, 2023